

## **Municipal Court Judges**

### **Department Description**

R.C. 1901.01 established the Franklin County Municipal Court. A judge is a public official appointed or elected to preside and to administer the law in a court of justice. A full term of court for a judge consists of six years. The court has 14 judges in the general division and 1 judge in the environmental division. The judges elect annually one of their peers to the position of administrative and presiding judge. A visiting judge is necessary in certain emergency situations.

The judges process both criminal and traffic misdemeanor jury and non-jury trials, arraignments, preliminary hearings on felony cases and set bond on all criminal charges. They further handle civil cases with a monetary jurisdiction not to exceed \$15,000, exclusive of interest and costs. The small claims division, under the judges' supervision, handles cases where the demand does not exceed \$3,000, exclusive of interest and costs.

Each week, a different judge is assigned to the duty session to handle a variety of responsibilities which include decisions concerning applications for warrants to search, applications by the Municipal Court Clerk to strike improper or incomplete pleadings, motions to dismiss filed by the prosecutor pursuant to Crim. R. 48, cognovit notes, motions to excuse jurors, probable cause hearings, motions for default judgments filed in unassigned cases, determination as to whether an evidentiary hearing on the issue of damages is necessary and performance of civil wedding ceremonies on a scheduled basis.

The geographic jurisdiction of the court is all of Franklin County, which has a population of over one million, and those portions of the City of Columbus that extend beyond the boundaries of Franklin County.

The jurisdiction and powers of the environmental division differ from those of the general division in several important respects.

R.C. 1901.181 gives the environmental division exclusive jurisdiction to enforce in any civil action or any criminal action any local building, housing, air pollution, sanitation, health, fire, zoning or safety code, ordinance, or regulation applicable to premises used or intended for use as a place of human habitation, buildings, structures or any other real property subject to any such code, ordinance, or regulation. Pursuant to R.C. 1901.181 and R.C. 1901.17, there is no monetary limit on the cases that fall within the environmental division's exclusive jurisdiction.

R.C. 1901.131 grants the environmental division injunctive powers.

To support the Judiciary, the Court has several divisions/programs through which court services are provided to the public. They are as follows:

- Court Administration that consists of the court security program, court investigation, volunteer services program, vehicle immobilization program and Spanish interpreting
- Court reporters, assignment office, jury office, judges and magistrates bailiffs, service bailiffs, secretaries and the small claims division/dispute resolution program
- The department of probation services consists of administration, supervision services and investigation services. There are specialized probation supervision programs that include the chemical abuse program (CAP), multiple OMVI offender program (MOP), sex offender program and the mental health offices. There is a domestic violence program and a community sanctions unit consisting of the supervised community service program and the restitution program. There is a provided no conviction program and an intensive supervision residential program (ISRP). To support all of these programs in the probation department, there is a support services unit consisting of receptionists, intake assignment coordinators, transcriptionists and support relief/liaison officers.

### **Department Mission**

#### **Judiciary**

To provide to all equal access, professional, fair and impartial treatment; timely disposition of cases without unnecessary delay; a just resolution of all court matters, and to safeguard the constitutional rights of all litigants.

#### **Administration**

The mission of the employees is to implement the policies and procedures (mandates) established by the judiciary and the legislature in a professional and dedicated manner and to ensure accessibility, fairness and courtesy in the administration of justice.

### **Strategic Priorities for 2005**

- Engage in an operational and administrative review of current Court structure and commit to implement recommended changes.
- Meet the challenge of providing liaison and interpretation services to the growing number of Somali and other non-English speaking clients of the Court.
- Review and overhaul the payroll, human resources and finance operations and commit to staffing these functions appropriately.
- Place emphasis on the importance of retaining, attracting and rewarding qualified staff.
- Secure funding for the renovation of all courtrooms.

## **2005 Budget Issues**

- Funding of \$12,225,966 is provided, with an allowance for vacancies, for 171 full-time and 8 part-time positions in the Franklin County Municipal Court Judges' 2005 general fund budget.
- Court security efforts will continue in 2005; however, funding was shifted to a special projects fund that was created in 2002 for the purpose of providing security to the Courts. This secure facilities fee will continue to support funding in excess of \$1,000,000 and 16 full-time staff members annually.
- The Municipal Court Judges' 2005 budget includes \$1,408,065 for services. Of this amount, \$500,000 is allocated to the contract for appointed counsel, \$240,000 for juror fees, \$135,000 for deaf and language interpretation services and \$102,000 for competency examinations and evaluations.
- Funding of \$428,082 is included in the Municipal Court Judges' 2005 computer fund budget. The budget supports legal research staffing of four part-time positions and fifty percent of a full-time position.
- Proposed funding within the Municipal Court Judges' 2005 computer fund budget is \$78,218 below 2004 estimated expenditures largely due to the transfer of two positions to the Clerk's side of the fund, lower data processing charges and the fact that no equipment purchases are budgeted in 2005.

## **Budget and Program Summary**

<b>DEPARTMENT FINANCIAL SUMMARY</b>					
<b>DIVISION SUMMARY</b>	<b>2002 Actual</b>	<b>2003 Actual</b>	<b>2004 Original Appropriation</b>	<b>2004 Estimated Expenditures</b>	<b>2005 Proposed</b>
Municipal Court Judges	\$ 12,147,238	\$ 12,579,008	\$ 12,191,467	\$ 12,265,188	\$ 12,654,048
<b>TOTAL</b>	<b>\$ 12,147,238</b>	<b>\$ 12,579,008</b>	<b>\$ 12,191,467</b>	<b>\$ 12,265,188</b>	<b>\$ 12,654,048</b>

<b>DEPARTMENT SUMMARY BY CHARACTER</b>					
<b>MUNICIPAL CT JUDGES GENERAL FUND</b>	<b>2002 Actual</b>	<b>2003 Actual</b>	<b>2004 Original Appropriation</b>	<b>2004 Estimated Expenditures</b>	<b>2005 Proposed</b>
Personnel	\$ 10,259,736	\$ 10,364,888	\$ 9,961,695	\$ 10,308,565	\$ 10,757,925
Materials & Supplies	60,947	61,731	58,800	53,416	59,976
Services	1,310,155	1,430,287	1,407,685	1,396,907	1,408,065
Capital	-	-	-	-	-
<b>TOTAL</b>	<b>\$ 11,630,838</b>	<b>\$ 11,856,906</b>	<b>\$ 11,428,180</b>	<b>\$ 11,758,888</b>	<b>\$ 12,225,966</b>
<b>MUNICIPAL CT JUDGES COMPUTER FUND</b>	<b>2002 Actual</b>	<b>2003 Actual</b>	<b>2004 Original Appropriation</b>	<b>2004 Estimated Expenditures</b>	<b>2005 Proposed</b>
Personnel	\$ 106,984	\$ 113,440	\$ 173,774	\$ 171,787	\$ 127,932
Materials & Supplies	69,460	285,788	122,500	73,307	100,450
Services	269,387	317,225	411,013	212,300	199,700
Capital	70,569	5,649	56,000	48,906	-
<b>TOTAL</b>	<b>\$ 516,400</b>	<b>\$ 722,103</b>	<b>\$ 763,287</b>	<b>\$ 506,300</b>	<b>\$ 428,082</b>

<b>DEPARTMENT SUMMARY BY FUND</b>					
<b>FUND SUMMARY</b>	<b>2002 Actual</b>	<b>2003 Actual</b>	<b>2004 Original Appropriation</b>	<b>2004 Estimated Expenditures</b>	<b>2005 Proposed</b>
General Fund	\$ 11,830,838	\$ 11,856,906	\$ 11,428,180	\$ 11,758,888	\$ 12,225,966
Municipal Court Computer Fund	516,400	722,103	763,287	506,300	428,082
<b>TOTAL</b>	<b>\$ 12,147,238</b>	<b>\$ 12,579,008</b>	<b>\$ 12,191,467</b>	<b>\$ 12,265,188</b>	<b>\$ 12,654,048</b>

<b>DEPARTMENT PERSONNEL SUMMARY</b>					
<b>DEPARTMENT</b>	<b>FT/PT*</b>	<b>2002 Actual</b>	<b>2003 Actual</b>	<b>2004 Authorized</b>	<b>2005 Authorized</b>
Municipal Court Judges	FT	180	167	173	173
	PT	10	14	11	11
Court Computer Fund	FT	2	2	2	2
	PT	-	-	4	4
<b>TOTAL</b>		<b>192</b>	<b>183</b>	<b>190</b>	<b>190</b>

\*FT=Full-Time PT=Part-Time

## Municipal Court Judges

MUNICIPAL COURT JUDGES							
Program	Mission/Description	FT	2004 Budget PT	Appropriated	FT	2005 Budget PT	Proposed
Administration	The court administration section is under the general direction of the bench and, through the administrative judge, is the vehicle by which non-judicial policies of the court are carried out on a daily basis. Such a structure enables the judges to focus their attentions on judicial, rather than administrative, responsibilities. Court administration principal responsibilities are as follows: personnel management; fiscal management; purchasing; appointment of counsel for indigent defendants; liaison with other courts, governmental entities and private agencies; public information and report management; settlement week; secretarial services; and appointment of interpreters and security management.	44	7	\$ 4,815,095	44	7	\$ 4,358,487
Assignment Office	The assignment office controls the case flow management of a case immediately upon its input into the computer system. The office is responsible for making individual case assignments to the judges in a random rotation for criminal and traffic cases when a plea of not guilty has been entered in arraignment, and in civil cases when an answer or motion has been filed. In addition, the assignment office prepares individual judges' and magistrates' courtsheets and boardsheets; notifies plaintiffs, defendants, prosecutors, attorneys and suburban solicitors of all court hearings; schedules and maintains an up-to-date status of all active cases assigned to the judges and magistrates; and processes all motions and pleadings.	13	1	699,680	14	-	726,065

Service Bailiffs	The service bailiff division assists litigants and attorneys by efficiently handling and delivering court documents and the timely enforcement of judgment remedies. Service bailiffs serve summonses for civil, forcible entry and detainer, criminal, traffic and judgment debtor cases. In addition, they serve complaints and subpoenas; enforce replevins, executions, orders of attachment and garnishments, writs of restitution; and handle evictions. Among their other duties, service bailiffs are responsible for recovery of property from defendants and collection of monetary awards as a consequence of judgments won by plaintiffs.	18	-	1,022,839	18	-	1,055,476
Courtroom Bailiffs	Courtroom bailiffs coordinate activities in the courtrooms of judges and magistrates. Bailiffs schedule cases and, on a daily basis, provide information to the public regarding the status of pending cases. Their responsibilities touch many functional areas of the justice system from court administration to the Clerk, from probation services to the jury commissioner.	22	-	1,100,465	22	-	1,598,807
Probation Services	The department of probation services is an effective sentencing tool which the Judges use extensively as an alternative to incarceration for select offenders. Probation services consist of the following: administration, regular supervision, non-reporting probation, domestic violence program, chemical abuse program, multiple OMVI offender program, sex offender program, investigation services, community service program, restitution program and provided no convictions program.	54	1	3,176,258	54	1	3,275,505

## Municipal Court Judges

Small Claims	The small claims division was established to provide citizens with a simplified procedure for bringing civil suits for sums of \$3,000 or less. While attorneys are permitted, they are not required. The office provides forms and assistance to individuals wishing to file claims, motions and writs of execution. This office is closely interwoven with the Court's dispute resolution program that schedules and conducts mediation in civil cases for the Court.	5	1	247,955	5	1	261,380
Court Reporters	Court reporters are responsible for making a verbatim record of all court proceedings, reading back any and all portions of court proceedings, preparing verbatim transcripts of court proceedings and maintaining records on court exhibits.	14	2	989,642	14	2	1,012,986
Jury Commissioner	The office of the jury commissioner is responsible for summoning citizens to serve as jurors, randomly selecting jurors for panels, postponing and rescheduling jury service, and maintaining information on prospective jurors.	2	-	359,533	2	-	365,342
<b>TOTAL</b>		<b>172</b>	<b>12</b>	<b>\$ 12,191,467</b>	<b>173</b>	<b>11</b>	<b>\$ 12,654,048</b>